

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

**Case No.: 1:20-cv-963-LM**

IAN B. FREEMAN, SHIRE FREE CHURCH  
MONADNOCK, MALAISE LINDENFELD,  
PHO KEENE GREAT LLC, ARIA  
DIMEZZO, ARIA DIMEZZO (d/b/a  
REFORMED SATANIC CHURCH),

Plaintiffs,

vs.

CITY OF KEENE,  
GOVERNOR CHRISTOPHER T. SUNUNU,  
in his official and individual capacities,

Defendants.

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**PLAINTIFFS' ASSENTED-TO MOTION TO EXTEND TIME TO SERVE  
DEFENDANTS**

Plaintiffs move, pursuant to Local Rule 7.2(a), to extend their deadline to file executed waiver of service forms as to Defendants City of Keene and Governor Christopher T. Sununu. Defendants assent to this Motion.

1. The Complaint in this case was filed September 18, 2020. The deadline for service of the Complaint was December 18, 2020.

2. Plaintiffs obtained and provided waiver of service forms to Defendants' counsel, but there was a delay in the parties' communication given the nature of this action, the novel issues involved, the fact similar issues are being litigated throughout the country, and the fact Governor Sununu has continued to issue new emergency orders and other measures that impact the allegations and relief requested in this action.

3. Defendants provided Plaintiffs' counsel with executed waiver of service approximately a week and a half before the December 18 service deadline. *See* Exhibit A (executed waiver of service forms). Due to scheduling issues and the undersigned's brief unavailability that week, those forms were not filed by the deadline.

4. Plaintiffs respectfully request an extension, until seven (7) days from the date of the Court's ruling on this Motion, to file those waiver of service forms.

5. Alternatively, since the executed forms are appended as exhibits to this Motion, Plaintiffs respectfully request that the Court docket them as filed.

6. This extension of time would not result in the continuance of any hearing, conference, or trial. Indeed, no discovery plan has been entered.

7. Pursuant to Local Rule 7.1(c), the undersigned counsel conferred with Defendants' counsel concerning the relief requested in this Motion. Defendants assent.

WHEREFORE, Plaintiffs respectfully request (A) an extension, until seven (7) days from the date of the Court's ruling on this Motion, to file the Defendants' executed waiver of service forms; (B) in the alternative, that the Court docket the executed waiver of service forms attached as Exhibit A; and (C) any other relief deemed necessary.

IAN B. FREEMAN, SHIRE FREE  
CHURCH MONADNOCK,  
MALAISE LINDENFELD, PHO  
KEENE GREAT LLC, ARIA  
DIMEZZO, ARIA DIMEZZO (d/b/a  
REFORMED SATANIC CHURCH),

By Their Attorneys,

FOJO LAW, P.L.L.C.

Dated: January 11, 2021

/s/ Robert M. Fojo  
Robert M. Fojo (#19792)  
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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was electronically filed with the Clerk of Court using CM/ECF on January 11, 2021. I also certify that this document is being served this day on all counsel of record via transmission of Electronic Filing generated by CM/ECF.

Dated: January 11, 2021

/s/ Robert M. Fojo